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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,411	02/25/2002	Tsuyoshi Andoh	1614.1219	8251
21171	7590	03/23/2004	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			SNIEZEK, ANDREW L	
			ART UNIT	PAPER NUMBER
			2651	

DATE MAILED: 03/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/080,411

Applicant(s)

ANDOH, TSUYOSHI

Examiner

Andrew L. Sniezek

Art Unit

2651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

The information disclosure statement filed 2/25/02 has been considered.

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Drawings

The drawings filed 2/25/02 are acceptable to the examiner.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-18 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Each of independent claims 1 and 10 set forth management information that includes time information on the time that the information is coded. This feature is not described in the specification. It is clear from the specification that the time information indicates when the coded data is recorded (page 6) not when information is coded.

Claims 2-9 and 11-18 inherit this language. Examiner will consider the language of the claims, when considering prior art, that the time information is information indicating when the coded data is recorded.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3 and 4 recites the limitation "said FAT area" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

- (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
- (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1-3, 5, 10-12 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Takahashi et al. ('944).

Claim 1 is directed to a record and playback apparatus which codes information. The apparatus stores information in a management area of the medium. This management information can include "at least one of" time information that indicates the time coded data is recorded, index information and a backward pointer. The use of "including at least one of" is interpreted as meaning that any of the three information, not that all three information is

recorded. If applicant intended that each of the information used for pointing is present in the predetermined management area then examiner suggest to amend the claim to state that the management information contains at least one time information, at least one index information and at least one backward pointer. Takahashi et al. teaches an apparatus (figure 1) that codes information. The management information is stored on the medium (page 4, first column, lines 7-10) and the management information includes at least the time the encoded data is recorded, (page 3, paragraph [0074]). Claim 2 is satisfied by paragraph [0077]. The limitations of claim 3 are satisfied by paragraphs [0077 and 0078] which indicates that the FAT is distinct from the file system control information. The limitations of claim 5 directed to tags is satisfied by the sector numbers (FAT ID) that are used in conjunction with the recording time information (figure 4). Claims 10-12 and 14 although written using method terminology set forth substantially the same limitations as discussed above which respect to claims 1-3 and 5 and are deemed satisfied by the operation of the apparatus as taught by Takahashi et al.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al. in view of Nakamura et al. (JP 07141837).

The teaching of Takahashi et al. is discussed above and incorporated herein. Claims 4 and 13 additionally set forth that the predetermined management area is provided for each of the time

information, index information and a backward pointer. The time information and index information reads on the recording time and head sector number of figure 4 of Takahashi et al. Takahashi et al. does not appear to teach backward pointers, only forward pointers. It is well known in the recording/playback art to use backward pointers that are stored in a management area as taught by Nakamura et al. to read data in the reverse direction in a smooth manner (see constitution). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the arrangement as taught by Takahashi et al. by including reverse pointers as taught by Nakamura et al. so that a reverse playback can be performed smoothly.

Claims 6-7 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al. in view of Moon et al.

The teaching of Takahashi et al. is discussed above and incorporated herein. Claims 6 and 15 set forth that a time is input by the user which is compared which time information for the location of information. Claims 7 and 16 set forth that a time interval is inputted by a user which is compared with time information for the location of information. Although Takahashi et al. does not describe details of the manner in which playback is initiated, it is well known in the art to uses information inputted by the user which is compared with time information to located the desired information. See column 9, lines 56-64 and column 10, lines 31-40 which discusses inputs by the user that indicates which program or part of program (interval) is desired to play back. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the arrangement of Takahashi et al. by providing a user input feature as taught by Moon et al. so that desired programs or portions thereof could be selectively played back.

Claims 8 and 17 are under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al. in view of Kikuchi et al.

The teachings of Takahashi et al. have been discussed above and incorporated herein. Claims 8 and 17 additionally set forth that an index signal is inputted by a user to locate desired recorded information. Although not specifically discussed in Takahashi et al. it is well known in the art to have user inputted index information used in locating specific recordings. See Kikuchi et al. column 56 user inputted "title". This title is deemed one form of index information. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the arrangement as taught by Takahashi et al. using the teachings of Kikuchi et al. so that any desired recording can be accessed in a timely fashion.

Claims 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al. in view of Mehta.

The teaching of Takahashi et al. is discussed above and incorporated herein. Claims 9 and 18 additionally set forth that the user can input a backward pointer for locating recorded files of information. Although not specifically taught by Takahashi et al. such a feature is taught by Mehta (column 18) for locating data in doubly linked list of data structures. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the arrangement of Takahashi et al. with the teaching of Mehta so that all linked information of a given structure can be accessed.

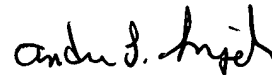
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew L. Snizek whose telephone number is 703-308-1602. The examiner can normally be reached on Mon.-Fri..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 703-308-4825. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.


Andrew L. Sniezek
Primary Examiner
Art Unit 2651

A.L.S.
March 19, 2004